

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL THEIN

Plaintiffs,

v.

OAK HARBOR POLICE DEPARTMENT

Defendants.

Case No. 2:23-cv-01832-RSM

ORDER OF DISMISSAL

*Pro se* Plaintiff Michael Thein filed this case against Oak Harbor Police Department on November 30, 2023. Dkt. #4. Mr. Thein was ordered to amend his complaint within thirty days on December 18, 2023, which he filed on December 29, 2023. Dkts. #6, #8. Mr. Thein was ordered to show cause on January 3, 2024, with instructions to file no later than thirty days from the date of the Order, by February 2, 2024, or this case would be dismissed. Dkt. #9. Mr. Thein did not file a response by February 2, 2024.

Mr. Thein alleges the following causes of action against the Oak Harbor Police Department under several citations, including § 1983, the Fourth Amendment, the Civil Rights Act of 1964, Washington Administrative Code, and “Act of 1986 ECPA.” *Id.* at 1, 5. He lists several locations, such as “Zoo NW . . . by Ave trl . . . 9 Oak Harbor, WA . . . Skagit Valley

1 Hospital Mount Vernon WA . . . [and] Swinomish Casino Lodge[.]” but notes the events giving  
2 rise to this claim occurred in Oak Harbor, Washington. *Id.* at 6. He names several people,  
3 including “Dad” and “Mom,” as being in car accidents, and he claims emotional and physical  
4 injuries concerning numerous people. *Id.* at 7. Mr. Thein further claims “immaterial” and  
5 “irreparable” damages, as well as actual, economic, and breach of contract damages. *Id.* at 7.  
6 He vaguely states that these events occurred between “March 2007 – Present[.]” *Id.* at 6.

8 The Court will dismiss a Complaint at any time if the action fails to state a claim, raises  
9 frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from  
10 such relief. *See* 28 U.S.C. § 1915(e)(2)(B).

11 As the Court’s previous Order explained, Mr. Thein’s Amended Complaint failed to state  
12 a claim upon which relief could be granted due to insufficient detail and deficiencies requiring  
13 dismissal. Dkt. #9; *see* 28 U.S.C. § 1915(e)(2)(B). Mr. Thein was ordered to file a short  
14 statement telling the Court why this case should not be dismissed as frivolous by February 2,  
15 2024, or this case would be dismissed. Mr. Thein did not file a response to the Court’s Order to  
16 Show Cause.  
17

18 Accordingly, the Court hereby ORDERS this case is DISMISSED without prejudice. All  
19 pending motions are STRICKEN as moot, and the Clerk shall close this case.  
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21 DATED this 5<sup>th</sup> day of February, 2024.

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24 RICARDO S. MARTINEZ  
25 UNITED STATES DISTRICT JUDGE  
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